



February 8, 2018

Board of Commissioners

6:30 PM

City Hall – Massie Chambers

Agenda:

1. Call to order by the Mayor.

Prayer

Pledge of Allegiance

2. Roll call by the Recorder.
3. Reading of the minutes of the January 25, 2018 regular meeting of the Board of Commissioners by the Recorder for approval or correction.
4. Comments from citizens.
5. Comments of the City Manager and staff.
6. Reports and comments from committees, members of the Board of Commissioners and other officers.
7. Old Business.
 - a. Consider Ordinance 18-912, an ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 to change a property on Northcreek Boulevard from CPUD, Commercial Planned Unit Development to HDRPUD, High Density Residential Planned Unit Development and preliminary master plan approval. **SECOND READING / PUBLIC HEARING**
8. New Business
 - a. Consider Resolution 18-781, a resolution authorizing the execution of a right-of-way encroachment license between the City of Goodlettsville and Pinnacle Hospitality Partners.
 - b. Consider Resolution 18-782, a resolution declaring certain property surplus to the needs of the City of Goodlettsville and calling for its disposal by online auction or any other reasonable manner.
 - c. Consider Resolution 18-783, a resolution authorizing the City Manager to execute a grant application with the State of Tennessee Division of Forestry for an Urban and Community Forestry Grant.
9. Adjournment.

For more information regarding this agenda, please contact the city recorder by email at:

abaker@goodlettsville.gov

A government committed to operating with efficiency and integrity in all we do as we strive to enhance the quality of life for the community we serve.

105 S. Main St. – Goodlettsville, TN 37072 – 615-851-2200 – Fax 615-851-2212

www.goodlettsville.gov

ORDINANCE NO. 18-912

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF GOODLETTSVILLE ADOPTED PER ORDINANCE 15-851 TO CHANGE A PROPERTY ON NORTH CREEK BOULEVARD FROM CPUD, COMMERCIAL PLANNED UNIT DEVELOPMENT TO HDRPUD, HIGH DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT AND PRELIMINARY MASTER PLAN APPROVAL

WHEREAS, the City's Zoning Ordinance intent and purpose includes but is not limited to dividing the city into zones and districts restricting and regulating therein the location, construction, and use of residential buildings, structures; and,

WHEREAS, the City's Zoning Ordinance intent and purpose includes but is not limited to protecting the character and maintain the stability of residential and business areas within the city, and to promote the orderly and beneficial development of such areas; and,

WHEREAS, the City's 2020 Growth Plan intent and purpose includes but is not limited to permitting residential developments to develop at a density appropriate for the area and high density developments should be located with direct access to a major street; and,

WHEREAS, the Planned Unit Development section of the City's Zoning Ordinance intent and purpose includes but is not limited to promoting flexibility in design and permit planned diversification in the location of structures; to promote efficient use of land that will facilitate a more economic arrangement of buildings; circulation systems, land use, and utilities; to preserve as much as possible existing landscape features and utilize them in a harmonious fashion; to encourage the total planning of tracts of land; and to provide a mechanism for the ownership of land, utilities, streets, and facilities in common as well as the maintenance and disposition thereof; and,

WHEREAS, The Goodlettsville Planning Commission has reviewed and discussed this proposed amendment and voted on January 8, 2018 to recommend its passage to the Board of Commissioners based on the designation of the City's Comprehensive Land Use Plan and existing high density residential uses in the project area, to provide additional housing opportunities for residents in a mixed used commercial and office/professional area; and,

WHEREAS, The Goodlettsville Planning Commission also approved and recommended passage of the North Creek Commons Revised Preliminary Master Plan dated December 20, 2017 for the High Density Residential Planned Unit Development Master Plan including one hundred thirty (130) multifamily apartment units, and;

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE, AS FOLLOWS:

SECTION 1. That the Official Zoning Map adopted by Ordinance No. 15-851 entered on second reading on November 12, 2015 being the municipal zoning map of Goodlettsville, Tennessee, be and the same is hereby amended as follows:

By changing the existing CPUD, Commercial Planned Unit Development zoning classification and replacing the property zoning designation to HDPUD, High Density Residential Planned Unit Development, per the North Creek Commons Revised Preliminary Master Plan Dated December 20, 2017 for the properties attached as "EXHIBIT A" and described as follows:

PROPERTY TAX MAP 19-14, PARCEL 18 CONTAINING APPROXIMATELY 8.90 ACRES AS SHOWN IN THE RECORDS OF THE ASSESSOR OF PROPERTY OF DAVIDSON COUNTY, TENNESSEE.

SECTION 2. That the Commissioners of the City of Goodlettsville, Tennessee, hereby certify that this Ordinance has been submitted to the Planning Commission of the City of Goodlettsville for a recommendation, and a notice of hearing thereon has been ordered after at least fifteen (15) days notice of the time and place of said meeting has been published in a newspaper circulated in the City

of Goodlettsville, Tennessee. This Ordinance shall take effect fifteen (15) days from the date of its final passage, the public welfare demanding it.

SECTION 3. If any section, clause, provision, or portion of this Ordinance is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this Ordinance which is not itself invalid or unconstitutional.

SECTION 4. In case of conflict between this Ordinance or any part thereof and the whole or part of any existing or future Ordinance of the City of Goodlettsville, the most restrictive shall in all cases apply.

MAYOR

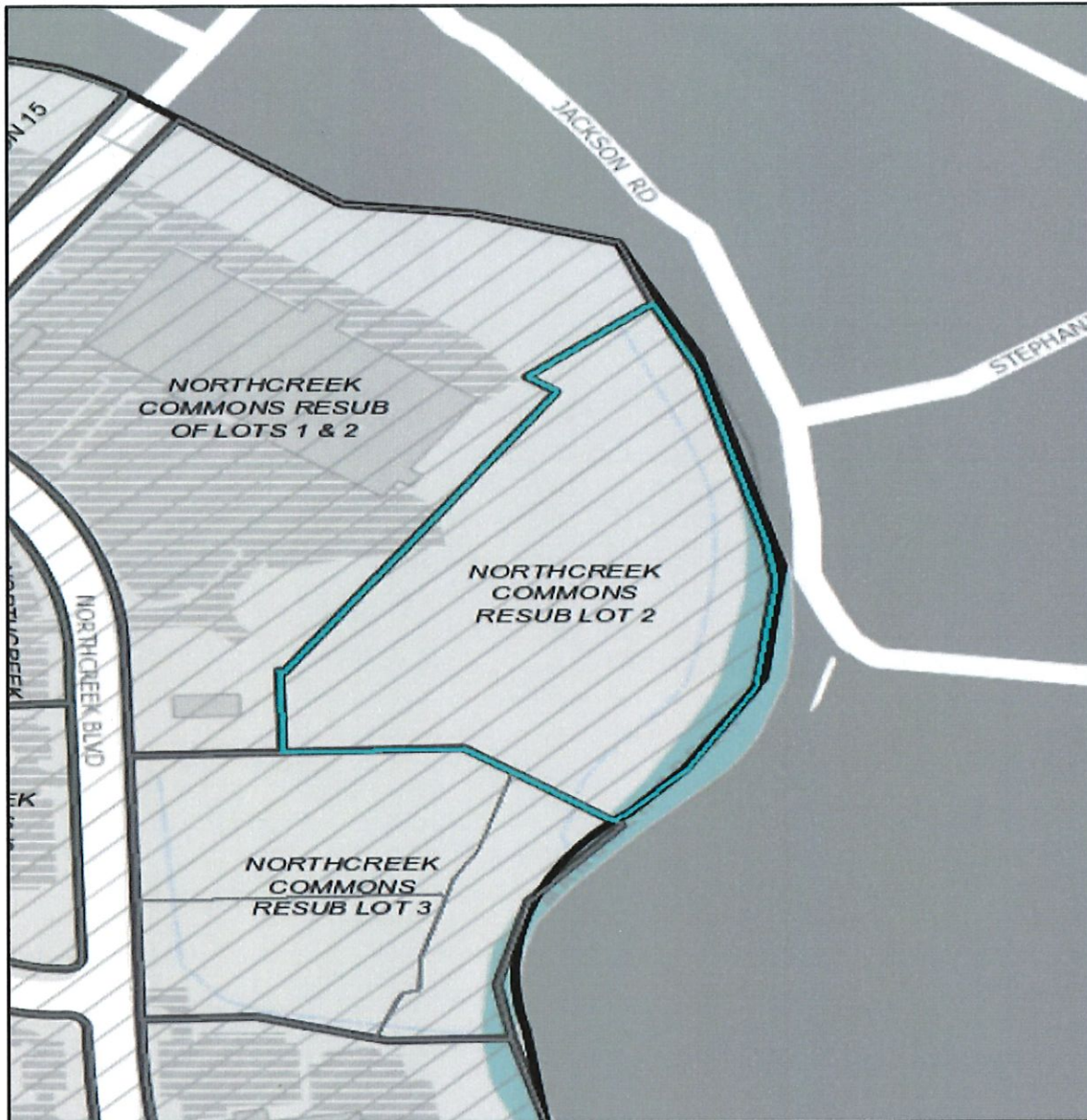
CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY

Passed First Reading: January 25, 2018
Passed Second Reading: _____

ORDINANCE 18- 912
"EXHIBIT A"



Resolution 18-781

A RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY ENCROACHMENT LICENSE BETWEEN THE CITY OF GOODLETTSVILLE AND PINNACLE HOSPITALITY PARTNERS.

WHEREAS, It has been determined that a right-of-way encroachment exists; and

WHEREAS, the City of Goodlettsville permits Right-of-way encroachments on certain city owned right-of-way; and

WHEREAS, an encroachment upon city owned right-of-way is permitted by a license; and

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the City of Goodlettsville, Tennessee hereby authorizes the execution of a right-of-way encroachment license between the City of Goodlettsville and Pinnacle Hospitality Partners, Herein referenced as Exhibit I.

THIS ACTION IS EFFECTIVE UPON PASSAGE BY THE BOARD OF COMMISSIONERS.

Mayor

City Recorder

Approved as to form and legality

City Attorney

Passed February 8, 2018

EXHIBIT I

**LICENSE AGREEMENT FOR PRIVATE ENCROACHMENTS
INTO THE PUBLIC RIGHT OF WAY**

I / We, Pinnacle Hospitality Partners, in consideration of the Resolution No. 18-781, to construct, maintain, install and/or operate an encroachment into, onto, over, or under the public right of way located at in Goodlettsville, Tennessee, do hereby, for myself, my agents, customers, and assigns, waive, and release and hold harmless The Government of the City of Goodlettsville, Tennessee, its agents, employees, and assigns from any and all claims, rights, or demands for damages that may arise from my / our use, construction and/or maintenance of the encroachment, to wit: (SEE ATTACHED DESCRIPTION OF ENCROACHMENT). I / We hereby certify to the City of Goodlettsville, Tennessee that I / We have executed a bond or liability insurance policy in such amount as agreed upon by the City Manager and the City Attorney, and in the form approved by the City Attorney which operates to indemnify and save The Government of the City of Goodlettsville, Tennessee harmless from all claims or demands that may result to persons or property by reason of the construction, operations or maintenance of the encroachment. I / We further agree that my / our obligations hereunder may not be assigned except upon approval of the City Manager. I / We further acknowledge that any action that results in a failure to maintain said bond or liability insurance for the protection of The City of Goodlettsville, Tennessee shall operate to the granting of a lien to The City of Goodlettsville, Tennessee in the amount of the last effective bond/insurance policy. Said insurance or bond may not be cancelable or expirable except on 30 days notice to the City Manager.

I / We further recognize that the license granted hereby is revocable by the City of Goodlettsville Board of Commissioners upon recommendation of the City Manager and approval by resolution of the City of Goodlettsville Board of Commissioners if it is determined to be necessary to the public welfare and convenience. In the event the City of Goodlettsville revokes this license as contemplated by this paragraph, licensee will not be entitled to any compensation of any kind. This license shall also be strictly subject to the right of way easement owned by The City of Goodlettsville, Tennessee. I/ We agree to maintain, construct and use the encroachment in such a way as will not interfere with the rights and duties of the City of Goodlettsville as owner of the right of way. Said interference shall be additional grounds for revocation of the license for encroachment. I / We agree to pay the cost of construction, maintenance, use, as well as relocations cost of said encroachment. Licensee's failure to complete construction of the contemplated

encroachment within 36 months of the date of approval by the City of Goodlettsville Board of Commissioners will cause this license to terminate automatically. In the event the encroachment contemplated by this license is substantially destroyed, this license shall terminate unless fully restored by licensee within 36 months from the date of such destruction. In the event this license is revoked or terminated for any reason, licensee shall restore all public property to the condition obtaining at the time the license became effective at licensee's sole cost and expense.

DATE: _____

(Owner of Property)

(Address of Property)

(City and State)

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Sworn to and subscribed before

Me this ____ day of, 20 ____.

(NOTARY PUBLIC)

My Commission Expires: _____

RESOLUTION NO. 18-782

A RESOLUTION DECLARING CERTAIN PROPERTY SURPLUS TO THE NEEDS OF THE CITY OF GOODLETTSVILLE AND CALLING FOR ITS DISPOSAL BY ONLINE AUCTION OR ANY OTHER REASONABLE MANNER.

WHEREAS, occasionally, the City of Goodlettsville owns property that is no longer of use or has value for its intended use; and,

WHEREAS, The City of Goodlettsville foresees no future need or use of said property; and,

WHEREAS, The City of Goodlettsville desires to dispose of said property;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THAT PROPERTY LISTED IN EXHIBIT 1 OF THIS RESOLUTION IS DECLARED TO BE SURPLUS PROPERTY.

BE IT FURTHER RESOLVED THAT SAID PROPERTY SHALL BE DISPOSED OF BY ONLINE AUCTION OR ANY OTHER MEANS IN ACCORDANCE WITH STATE LAW AND THE CITY'S PURCHASING POLICY.

THIS RESOLUTION IS EFFECTIVE UPON ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Adopted: February 8, 2018

MAYOR

CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

EXHIBIT 1**SURPLUS PROPERTY (RESOLUTION 18-782)**

- Reznor Gas Unit – Heat exchanger has a hole and several cracks

RESOLUTION NO. 18-783

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT APPLICATION WITH THE STATE OF TENNESSEE DIVISION OF FORESTRY FOR AN URBAN AND COMMUNITY FORESTRY GRANT.

WHEREAS, the State of Tennessee is accepting applications for the Urban and Community Forestry Grant program, requiring a fifty percent (50%) match of the city; and,

WHEREAS, the City of Goodlettsville is eligible to participate in this grant program; and,

WHEREAS, it is to the benefit of the citizens of the City of Goodlettsville that this grant application be approved and submitted conducting a survey of all trees located within city and state right-of-way.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE:

Section 1. That the City of Goodlettsville's application for the Urban and Community Forestry Grant, with a required match of up to \$10,000, for the purpose of conducting a survey of all trees located within city and state right-of-way is approved.

Section 2. That the City of Goodlettsville assures the State of Tennessee Department of Transportation that the City will match all grant funding awarded not to exceed \$10,000.

Section 3. That this resolution shall take effect from and after its adoption, the welfare of the City of Goodlettsville requiring it.

Date adopted: February 8, 2018

MAYOR

ATTEST:

CITY RECORDER

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY